

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYRONE LEWIS-BEY,

Plaintiff,

v.

DELAWARE COUNTY, et al.,

Defendants.

CIVIL ACTION
NO. 17-2537

ORDER

AND NOW, this 27th day of March 2018, upon consideration of the Amended Complaint (Doc. Nos. 4, 9), Defendants' Motions to Dismiss the Amended Complaint (Doc. Nos. 14-15), Plaintiff's Responses in Opposition (Doc. Nos. 21, 22, 25-29), and Plaintiff's Motion for Leave to File an Amended Complaint (Doc. No. 32), and in accordance with the Opinion issued this day, it is **ORDERED** as follows:

1. Defendants' Motions to Dismiss the Amended Complaint (Doc. Nos. 14-15) are **GRANTED**.
2. Plaintiff's Motion for Leave to File an Amended Complaint (Doc. No. 32) is **GRANTED** and the Amended Complaint (Doc. Nos. 4, 9, 36) is **DISMISSED**.¹

¹ As explained in the accompanying Opinion in footnote 3, Plaintiff moved to amend his Complaint (Doc. No. 32) and then filed the amendment without obtaining leave of court or Defendants' consent. Nonetheless, the Court considered the amendment in the accompanying Opinion and noted that Plaintiff's Motion for Leave to File an Amended Complaint (Doc. No. 32) will be granted. Thus, paragraph 2 of this Order, above, does not give Plaintiff another opportunity to file an amended complaint once again. The Amended Complaint filed in this case fails to state a claim and leave to amend would be futile. Therefore, the Amended Complaint will be dismissed and Plaintiff will not be given an opportunity to file another amended complaint.

3. All outstanding motions are **DENIED**.
4. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.